

1 A Not that I know of, no.

2 Q What about something called a special temporary
3 authorization?

4 A Well, a special temporary authority, yes.
5 That's -- yes.

6 Q Okay. What is special temporary authority?

7 A Special temporary authority is requested by an
8 applicant in certain circumstances to operate without an
9 official license.

10 Q Tell me, sir, would it be -- how would it first
11 become communicated to you that Liberty desired a license
12 for a certain path?

13 A I would generally -- during this time period, I
14 would generally get a package from COMSEARCH that had what
15 they called a prior coordination notice, along with a few
16 materials for inclusion in the application.

17 Q Would you generally have been contacted by anyone
18 at Liberty prior to your receiving that package of materials
19 from COMSEARCH?

20 A Generally no because the package contained all the
21 materials I needed to prepare the application.

22 Q So your first awareness would come from something
23 you received from COMSEARCH.

24 A That's correct.

25 Q And just for the record, what is COMSEARCH?

1 A COMSEARCH is a frequency coordinator.

2 Q And why is it necessary, if you know, for a
3 frequency to be coordinated?

4 A To prevent harmful interference between applicants
5 and microwave users.

6 JUDGE SIPPEL: I just want to ask one clarifying
7 question on this relation between the STA and to license
8 applications. Must there be a license application on file
9 before you can qualify for an STA?

10 THE WITNESS: No.

11 JUDGE SIPPEL: You can do an STA without even
12 filing a license application.

13 THE WITNESS: That's correct.

14 JUDGE SIPPEL: Okay. Go ahead.

15 BY MR. BEGLEITER:

16 Q Can you explain what a coordination is?

17 A Frequency coordination, the procedure is contained
18 in Part 21 and Part 101 now of the Commission's rules. It's
19 basically a procedure whereby any affected microwave users
20 or carriers are notified that a new path is being
21 considered. It gives them an opportunity to determine
22 whether there will be any harmful interference.

23 Q Tell me, sir, what information do you get from
24 COMSEARCH that begins your application process?

25 A The information that I get from COMSEARCH is

1 basically the information that is required by the FCC Form
2 402, the application for a microwave path. Various things
3 like emission designator, heights of the transmit site,
4 coordinates for the receive sites, that sort of thing.

5 Q What's an emission designator?

6 A An emission designator is basically a code. And
7 it's identified in Part 1 of the -- Part 1 or 2 of the
8 Commission's rules -- that identifies the band width that
9 the transmission takes up, and also the -- the band width
10 and the frequency.

11 Q Now, sir, you -- what do you do after you receive
12 this package of information from COMSEARCH?

13 A When I receive the package of information from
14 COMSEARCH, then I would begin preparing the application
15 for -- well, I would determine whether or not the
16 application would be an application for a new site, a
17 modification of a previously licensed site, or an amendment
18 to an application that has been on file and was pending.

19 Q And after you've made these determinations, what
20 would your -- what would your next step be?

21 A Then I would prepare the application.

22 Q In preparing the application, was it necessary for
23 you to confer with anyone?

24 A Yes, generally.

25 Q On what issues?

1 A Minor technical issues generally. Every one in a
2 while, I might see a mistake or something that looked odd in
3 the coordination information.

4 Q And when it was necessary to confer with someone,
5 who would you confer with?

6 A I would confer with Behrooz Nourain.

7 Q And he's Liberty's engineer?

8 A Yes, he is.

9 Q He was Liberty's engineer?

10 A Yes.

11 Q Did you also confer with someone from COMSEARCH?

12 A Yes, I would confer with the frequency
13 coordination if it's required.

14 Q After COMSEARCH would send you the package of
15 material, was there anything else for COMSEARCH to do?

16 A Yes.

17 Q What did COMSEARCH have to do?

18 A The rules require for frequency coordination that
19 it take approximately 30 days for these potentially affected
20 carriers to respond to the prior coordination notice. At
21 the end of this period then, COMSEARCH would prepare what
22 they call a supplemental showing that basically said that
23 there were no affected carriers that had complained or -- or
24 objected to the -- the path. They would then send that to
25 me for inclusion in the application package.

1 Q You would begin the application in the time that
2 COMSEARCH was doing the supplemental showing, is that --

3 A That's correct.

4 Q And it was also during this time of supplemental
5 showing that you would confer with COMSEARCH and Mr.
6 Nourain?

7 A Yes, that's correct. During the prior
8 coordination. The supplemental showing was the last step.

9 Q Okay. And did there come a time when you received
10 the supplemental showing from COMSEARCH?

11 A Yes. Generally -- well, COMSEARCH's general rule
12 is that they send it out. It takes about 45 days from the -
13 - from the date of when the prior coordination is first sent
14 out.

15 Q And when you received the supplemental showing, do
16 you have all the information that you need to file a
17 license?

18 A Yes.

19 Q Okay. And you then go ahead and file the license?

20 A Yes.

21 Q Now, Mr. Lehmkuhl, does a license have to be
22 signed by the --

23 A Yes, it does.

24 Q -- parties it authorizes?

25 A Yes.

1 Q And generally in the period of June 1994 to May
2 1995, who would be the individual who would -- individual or
3 individuals who would sign the license?

4 A The -- Behrooz Nourain would sign -- his signature
5 would appear on the application.

6 Q Okay. Tell me, sir, was -- was there a practice
7 at -- that was employed in this period for Mr. Nourain to
8 sign these applications --

9 A Yes, there --

10 Q -- in blank?

11 A Yes, there was.

12 Q Were they entirely in blank when they were signed
13 or partially in blank?

14 A Partially in blank.

15 Q Can you tell me what was there and what was not?

16 A He -- he signed page 2 of the application. So any
17 of the information that would be required for page 2 was --
18 was generally there.

19 Q Okay. And tell me, sir, why was this done?

20 A This was done to expedite the preparation and
21 filing of the applications. There were many applications
22 coming through at the time.

23 Q Whose idea was this if you know?

24 A As I understand it, it was Mr. Nourain's idea.

25 Q Was this -- was this procedure already in place

1 when you got to Pepper & Corazzini?

2 A As far as I can tell, yes.

3 Q Okay. Sir, would Mr. Nourain have reviewed the
4 technical -- withdrawn. Would Mr. Nourain have reviewed the
5 information in the license application prior to your
6 submitting it to -- to the -- to the FCC?

7 A Not necessarily in each individual case. But he
8 would have occasion to know everything that was in the
9 application. I mean, these were -- the information that was
10 contained in there was boiler plate information aside from
11 the technical information which he had previous supplied to
12 COMSEARCH.

13 Q Is that a practice that your firm now follows?

14 A No. It does not.

15 Q And do you recall when your firm stopped --
16 stopped that practice?

17 A Yes, it was in the spring of 1995.

18 Q And was that because of any developments in this
19 particular case?

20 A Yes, it was.

21 Q Now, in the period of May -- excuse me, June 1994
22 to May 1995, would you mail a copy of the license to anyone
23 at Liberty?

24 A Yes. On the same day that I filed the application
25 with the Commission, I would also send a copy of it to Mr.

1 Nourain.

2 Q Did these license applications, the copies of
3 which you sent to Mr. Nourain, have file numbers on them?

4 A If they were a modification or an amendment to a
5 pending application, yes. That would -- that would have
6 identified the application to the FCC. And yes, it would
7 have a file number on it. New -- new applications would not
8 --

9 Q Let me ask the questions. If the application were
10 for a new path, would the copy of the license that Mr.
11 Nourain had contain a file number?

12 A No, it would not.

13 Q And in this period of June 1994 to May 1995, were
14 you applying for new paths?

15 A I believe so, yes.

16 Q And were you also at the same time renewing --
17 filing for renewals of STAs?

18 A Yes. Yes, I was.

19 Q Now, did you generally speak to Mr. Nourain
20 concerning a license application after the license
21 application was filed?

22 A Generally no.

23 Q Okay. Would it be fair to say that your
24 conversations with Mr. Nourain --

25 MR. HOLT: Objection. Leading.

1 JUDGE SIPPEL: Well, this is just background
2 information. I mean, you can ask him on the specific
3 points, but --

4 MR. BEGLEITER: Okay.

5 BY MR. BEGLEITER:

6 Q I'll ask you when -- I'll ask a non-leading
7 question. In -- in this process from -- again, from June
8 '94 to May '95, at what point generally in the process would
9 you speak to Mr. Nourain?

10 A Usually when I was preparing the application for
11 filing.

12 Q And this would have been before filing?

13 A Before the filing, yes.

14 Q Okay. Now, in this period, did the FCC grant an
15 application?

16 A Toward the end of the period.

17 Q Okay. Were those grants sent to you?

18 A No, they were not.

19 Q Who were they sent to?

20 A They were sent to Mr. Nourain.

21 Q And what was Mr. Nourain supposed to do with them?

22 A He would then send them to me. It was Commission
23 practice not to send any -- any licenses to me --

24 Q Okay.

25 A -- or to our firm.

1 Q Now -- and this was not a special practice of the
2 FCC's with regard to Pepper & Corazzini, was it?

3 A No, that's correct. I mean, they would -- they
4 would send the license to the -- to the applicant.

5 Q Now, Mr. -- Mr. Lehmkuhl, during this period again
6 of June 1994 through to, say, April of 1995, were you
7 requesting STAs for Liberty?

8 A Yes, I was.

9 Q Can you tell us under what circumstances you
10 requested STAs for Liberty?

11 A I requested those STAs as renewals for STAs that
12 had been -- that had been previously granted.

13 Q Did you request any STAs for new paths?

14 A No, I did not.

15 Q Now, with these STAs -- renewal STAs, were some of
16 those granted?

17 A Yes, they were.

18 Q Okay. And you have to -- just for the Judge's
19 edification, you have to renew these STAs after a certain
20 period?

21 A Yes.

22 Q Can you tell us what the period is?

23 A The -- if these STAs are requesting special
24 temporary authority for an operation that has been applied
25 for, according to the rule, you can request STA for 180

1 days.

2 Q Okay. Did you understand that it was your duty in
3 that period from -- as to whether it was your duty in the
4 period from June 1994 to May 1995 to file STAs routinely for
5 new paths on behalf of Liberty?

6 A No, it was not.

7 Q Did anyone from Liberty to the end of April of
8 1995 request that you file STAs on its behalf for new paths?

9 A Not routinely, no.

10 Q Okay. By the way, in these granted STAs for the
11 renewals, where were they sent?

12 A Sometimes I would receive copies and sometimes Mr.
13 Nourain was sent -- well, Mr. Nourain was definitely sent
14 the grant of the STA.

15 Q From the FCC.

16 A From the Commission, that's correct.

17 Q And if you got it, would you forward it to Mr. --

18 A Yes.

19 Q -- would you forward it to him?

20 A Yes, I would.

21 Q Now, just to be clear, by early 1995, were there,
22 still STAs coming?

23 A I believe so.

24 Q Okay. Did there come a time --

25 A Oh, no. Could you ask that question again?k

1 Q Yes. By early 1995, was Liberty still operating
2 under STAs?

3 A No. Actually I don't believe so.

4 Q But they were -- was Liberty operating under STAs
5 in 1994?

6 A Yes.

7 Q And do you know approximately when those STAs --
8 those renewal STAs stopped coming?

9 A They -- they -- most of Liberty -- the STAs were
10 only required until the license was granted. So whenever
11 the license was granted, there was no longer a reason to
12 refile for the STA. Some may have been granted in early
13 1995. Others in late 1994.

14 Q Okay. Now, Mr. -- Mr. Lehmkuhl, did anyone at
15 Liberty -- again, in this period; I'm focusing now very,
16 very specifically from June of 1994 to April/May of 1995 --
17 during that period of time, would anybody from Liberty
18 contact you concerning when a building was going to -- a
19 path was going to be activated?

20 A No, they did not.

21 Q Did you contact Liberty to find out if a building
22 was activated?

23 A No, I did not.

24 Q And did -- was -- was there any tracking mechanism
25 as far as you were concerned -- as far as you were aware,

1 again, in this period that would track authority with
2 activation?

3 A No, there was not.

4 Q Okay. Is there one now?

5 A Yes. I believe there is.

6 Q And do you know about when that started?

7 A That started I believe in 1995, sometime after
8 early summer I believe.

9 Q Okay. By the way, another question here is did
10 you -- in this period, did anyone ever object to Liberty's
11 paths because of interference?

12 A No, they did not.

13 Q Were there other objections to Liberty's
14 applications?

15 A The only objection was from Time Warner or
16 Cablevision.

17 Q And when did those objections start?

18 A I believe the end of January -- or end of January
19 sometime.

20 Q Of '95.

21 A That's correct.

22 Q Okay. Okay. Now, Mr. -- Mr. -- Mr. Lehmkuhl, did
23 you ever file for an STA knowing that a path had been
24 activated previous to the filing?

25 A No, I did not.

1 Q Okay. Okay. Now, let's -- there came a time --

2 A Excuse me. If I can just elaborate on that just a
3 bit.

4 Q Sure.

5 A I mean, I did not file for an STA with the
6 knowledge that Liberty was operating without a license
7 unless it may have already been made public.

8 Q Okay.

9 A I mean, if I knew and I felt there was a need, I
10 would -- I would say that in the STA.

11 Q Okay. Let's -- I'd like you to turn to Exhibit 34
12 of the Time Warner/Cablevision book in front of you. It is
13 I believe the last exhibit in the book. That may save you a
14 moment. Yes, okay. Are you there, Mr. Lehmkuhl?

15 A Yes.

16 Q Sir, do you recognize this document?

17 A Yes, I do.

18 Q Okay. Is this a document that you authored?

19 A Yes, it is.

20 Q Okay. Sir, I'd like you to tell the Court the
21 circumstances under which you authored this document. Tell
22 us what was the initiating factor that led you to write this
23 document.

24 A I received a call from Behrooz Nourain.

25 Q Can you tell us about that telephone call, sir?

1 A Behrooz had called me and had -- he seemed rather
2 agitated. But he -- he had asked me about -- about the
3 STAs, about the time frame for STAs and some of the -- some
4 of the other issues that were -- that were going on with
5 Liberty's licenses.

6 Q Like what other issues?

7 A Well, for instance, the emission designator
8 problem and, you know, when some of these other licenses
9 would be granted.

10 Q Okay. I'd like you to explain to the Judge what
11 this emission designator problem was.

12 A The emission designator problem -- it was -- it
13 was a typographical error made by COMSEARCH in two of the
14 emission designators, two of the three emission designators
15 contained in the applications. And it basically transposed
16 two numbers. So it wasn't until it got to the FCC that it
17 was caught. This basically occurred in every application
18 that was filed since I believe November. And I received a
19 call from the FCC pointing this out.

20 Q November of '94?

21 A Excuse me?

22 Q November of '94?

23 A November of '94, that's correct. I received a
24 call from the FCC pointing this out. I contacted COMSEARCH
25 to correct this problem. I also found out that -- speaking

1 with Mr. Ryder, the Microwave Branch up in Gettysburg, that
2 all of these applications would then be required to go on
3 public notice again. But I had amended all the applications
4 to correct the emission designator.

5 Q Okay.

6 JUDGE SIPPEL: How did that -- how did that come
7 to your attention that there was an emission -- that was
8 when the FCC reviewed it, is that correct?

9 THE WITNESS: That's correct. One of the staff --
10 one of the staff at the Commission in Gettysburg called me.

11 BY MR. BEGLEITER:

12 Q Again, was this -- what -- at what time did this
13 occur? When did this occur?

14 A This occurred in early March I believe. Sometime
15 in March.

16 JUDGE SIPPEL: March of --

17 THE WITNESS: 1995.

18 JUDGE SIPPEL: All right. Now, that's the first
19 time that you were aware that there was this problem?

20 THE WITNESS: Yes.

21 JUDGE SIPPEL: And -- let me just -- let me just
22 formulate my thought here a little bit. It related back --
23 the problem related back to what had been filed in 1994.

24 THE WITNESS: That's correct. These were all
25 pending applications.

1 JUDGE SIPPEL: Do you remember what the -- just
2 off-hand, do you know what the number of applications was?

3 THE WITNESS: Not specifically, but it was quite a
4 few. I would -- I mean, I could guess maybe 30 or 40.

5 JUDGE SIPPEL: Now, what was the -- I understand
6 your testimony with respect to what the error was. But why
7 was the error repeated that many times? Is this the same --
8 just the same data that's reported --

9 THE WITNESS: Yes. Yes. It's a -- it's a path
10 data sheet and -- it's in the prior coordination notice
11 that's sent to all the -- all the affected carriers and also
12 included in the application. Oddly enough, no one -- no one
13 complained about it in the frequency coordination process.

14 JUDGE SIPPEL: I guess my question is why would it
15 be -- why would this be common -- why would this be common
16 to all the applications that the --

17 THE WITNESS: COMSEARCH has a program -- the way I
18 understand it is that COMSEARCH has a program that generates
19 this information, and that this was a software glitch. And
20 so all of these, you know, they would just routinely print
21 these out. And it would contain the same error. And from
22 what I understand, this was not only -- this did not only
23 happen to Liberty.

24 BY MR. BEGLEITER:

25 Q Just to make things clear, if you turn to Number

1 25 in the same book that you have which is Time
2 Warner/Cablevision. And there are some applications there.
3 They're a little out of the time we're talking about, but
4 I'll ask you whether or not there's any material difference.
5 Can you tell us -- if you take a look at those applications,
6 and there are some small numbers on the bottom. If you can
7 point out which page or pages the designator emitter problem
8 would have arise.

9 A The emission designators are identified on page
10 004 of that exhibit near the -- in the lower third.

11 Q Under equipment?

12 A Yes.

13 Q Where it says --

14 A And it says emission --

15 Q -- emission --

16 A Yes.

17 Q -- 5M75C3F/250KF3E/100KNON, right?

18 A Right. Those are the three emission designators.

19 Q Now, all this -- this application was filed after
20 the period we're talking about. Was the same sort of
21 information that was --

22 A This is -- yes. I mean, aside from information
23 that's specific to each path or each receive site, yes. But
24 I mean, these are the standard emission designators. If
25 you'll also look, I believe, on page -- pages 011 and 012,

1 Exhibit 1 of the application.

2 Q Give me a chance to get there. Okay.

3 A The emission designators are listed for each
4 frequency. And this is -- this is standard in every
5 application that Liberty files.

6 Q Where was the mistake?

7 A The mistake was in the second and third emission
8 designators, the 250KF3E and the 100KNON. And I don't have
9 anything to reference exactly what the mistake was. But a
10 couple of numbers or letters were transposed. And I believe
11 with the 100KNON, I think that was different somehow as I
12 recall. I don't recall specifically.

13 Q And, again, so what was the consequence of this --
14 of this emission designator mistake?

15 A The consequence was that all the applications that
16 had been filed that had this problem needed to be amended
17 with the proper emission designator.

18 Q And was that done, sir?

19 A Yes, it was.

20 Q And was that done by you?

21 A Yes, it was.

22 Q Okay. And do you remember when it was done?

23 A Yes. It was done in -- in March of 1995.

24 Q Okay. Now, going back to 34 of the Time
25 Warner/Cablevision exhibits which I refer to as the thick -

1 the thick volume --

2 A To 34?

3 JUDGE SIPPEL: This is Mr. Lehmkuhl's -- your memo
4 of April the 28th.

5 THE WITNESS: Yes, okay. Thanks.

6 BY MR. BEGLEITER:

7 Q Did you discuss this emission designator problem
8 with Mr. Nourain on -- in a telephone conversation that gave
9 rise to this memo?

10 A Yes, I did.

11 Q By the way, to the best of your knowledge, when
12 was that telephone conversation?

13 A Within a few days of this memo. The day before or
14 possibly even the previous day. But within -- within a few
15 days.

16 Q Okay. Let's -- let's go back to the conversation.

17 JUDGE SIPPEL: Just for purposes of his frame of
18 reference, I mean, it was agreed to that April the 28th was
19 a Friday?

20 MR. BEGLEITER: Yes.

21 JUDGE SIPPEL: So that may -- in terms of
22 answering questions, that may give you a frame of reference
23 for it.

24 THE WITNESS: Okay.

25 //

1 BY MR. BEGLEITER:

2 Q Do you recollect precisely what day it was?

3 A No, I don't. Not precisely. But it was -- it was
4 within -- within one or two days of this memo.

5 Q Okay. And tell me, in this -- in the course of
6 the conversation with Mr. -- with Mr. Nourain, did you also
7 discuss Time Warner's petition to deny?

8 A Yes, briefly.

9 Q Okay. And what did you tell him about the Time
10 Warner petition to deny?

11 A Basically what appears here in the memo; that Time
12 Warner's petition are holding up the grant of all the
13 applications Liberty had filed.

14 Q Was this news to Mr. Nourain?

15 A Not specifically, no. I mean, we were familiar
16 with Time Warner's previous petitions. And as far as I
17 understood it, no, it was not.

18 Q Okay. What was the previous petitions that Mr.
19 Nourain was aware of?

20 A He was aware of the petitions that Time Warner had
21 filed concerning the I-block or the hardwiring.

22 Q Okay. Can you explain to the Judge what the I-
23 block or hardwiring is in the context of Liberty Cable?

24 JUDGE SIPPEL: Well, I think I understand --

25 MR. BEGLEITER: Okay.

1 JUDGE SIPPEL: -- what the issue is that it
2 relates to. But if you want to get a little --

3 THE WITNESS: Well --

4 MR. BEGLEITER: Oh, no. I just wanted for the
5 record just to -- if Your Honor understands, I'll go to
6 something else.

7 JUDGE SIPPEL: Well, no. But the record is good.

8 MR. BEGLEITER: Okay. Fine. Let's go to
9 something else.

10 JUDGE SIPPEL: No, I say for the record, I think
11 it's good that you develop that information.

12 MR. BEGLEITER: Oh. Okay.

13 BY MR. BEGLEITER:

14 Q What -- what is a -- what is -- what is an I-block
15 or hardwire building?

16 A It's a situation where instead of -- Liberty
17 basically operates via microwave; delivers their programming
18 via microwave. And these are circumstances in which it's
19 not delivered by microwave, but by -- but by hardwire.

20 Q From a building which receives -- is it from a
21 building that receives by microwave?

22 A Yes, I believe so.

23 Q Okay.

24 A I mean, the --

25 JUDGE SIPPEL: Let him finish. Let him finish.

1 MR. BEGLEITER: I'm sorry. I'm sorry, I thought
2 you had.

3 THE WITNESS: No. This is what gave rise to the
4 entire -- this is what gave rise to why we're here today.
5 So --

6 BY MR. BEGLEITER:

7 Q With regard to these hardwire buildings, were
8 licenses for microwave paths filed to service some of those
9 buildings?

10 A Yes.

11 Q And do you remember why?

12 A Not specifically. The hardwire issue was -- is
13 not really my bailiwick here.

14 JUDGE SIPPEL: But the filing of the applications
15 would be.

16 THE WITNESS: Yes, yes.

17 JUDGE SIPPEL: And there were some applications
18 that were filed with respect to the hardwire --

19 THE WITNESS: That's -- yes, yes.

20 JUDGE SIPPEL: -- I want to make sure I use the
21 right word now. The hardwire -- what, the paths or the
22 microwave --

23 THE WITNESS: Yes, that's correct. From what I
24 understand, Liberty also wished to operate microwave paths
25 to the same buildings that were operating under hardwire.

1 So we filed -- we filed applications for those.

2 JUDGE SIPPEL: What kind of explanation would you
3 have to give to the Commission for that because you wouldn't
4 really -- you wouldn't really need the -- that would be an
5 option, right, the getting the FCC license on a microwave --

6 THE WITNESS: Yes, it would. But it was my
7 understanding that Time Warner had complained about the fact
8 that they were operating these under hardwire. And there
9 was -- there was some question as to whether or not this was
10 legally. So --

11 JUDGE SIPPEL: Locally -- I mean under local law.

12 THE WITNESS: Right. Under local law and I think
13 there were some allegations with the Commission. So to --
14 you know, in the interest of candor and everything, we -- we
15 included that in the application and identified these sites
16 as being served by hardwire.

17 JUDGE SIPPEL: All right.

18 BY MR. BEGLEITER:

19 Q Okay. Now, did Mr. Nourain on this date make any
20 requests with regard to STAs?

21 A Yes, he did.

22 Q What was his -- what was his request?

23 A He -- he basically had told me -- had identified a
24 number of paths that he needed to have STAs for.

25 Q Did he give you this orally or in writing?

1 A Orally.

2 Q And did Mr. Nourain inform you as to whether these
3 paths had already been activated?

4 A No, he did not.

5 Q And what did you do -- what did you do after the
6 conversation?

7 A After that conversation, I put this memorandum
8 together and faxed it to him.

9 Q Okay. Let's turn to the chart on pages 3 and 4.
10 What was the purpose of this chart?

11 A The purpose of this chart was to identify to him -
12 - for him all of the -- the pending applications.

13 Q Okay. And this chart was all the pending
14 applications, is that correct?

15 A I believe so, yes.

16 Q All right. And that included -- did that include
17 pending applications for what we call the I-block buildings?

18 A I believe so, yes.

19 Q Did it also include some granted applications?

20 A Yes, I see a few on page 4.

21 Q Okay. And what -- what -- what did you want to
22 convey to Mr. Nourain by giving him this --

23 A I wanted --

24 Q -- this chart?

25 A I wanted to give him a picture of where Liberty's